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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/766,298	01/27/2004	David Spencer	S1404.70004US01

CONFIRMATION NO. 9344

FORMALITIES LETTER



\*OC000000013037515\*

Daniel P. McLoughlin  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, MA 02210

10/26/2004 GWORDEF1 00000073 10766298

02 FC:2051

65.00 OP

Date Mailed: 06/23/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/26/2004 GWORDEF1 00000073 10766298

01 FC:2252

215.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

10/26/2004 GWORDEF1 00000073 10766298

03 FC:2001  
04 FC:2201  
05 FC:2202

395.00 OP  
44.00 OP  
45.00 OP

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 1, 3-5, 7, 11-13.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$176** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$1076** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$176**
  - **\$86** for 1 independent claims over 3.
  - **\$90** for 5 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



DOCKET NO.: S1404.70004US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

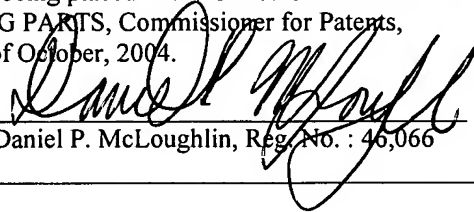
Applicant: David Spencer, et al.  
Serial No.: 10/766,298  
Confirmation No.: 9344  
Filed: January 27, 2004  
For: SORTING PIECES OF MATERIAL BASED ON PHOTONIC  
EMISSIONS RESULTING FROM MULTIPLE SOURCES OF  
STIMULI

Examiner: Not Yet Assigned  
Art Unit: 2882

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 22nd day of October, 2004.

  
Daniel P. McLoughlin, Reg. No. : 46,066

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**MAIL STOP MISSING PARTS**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- Recordation Form Cover Sheet (Form PTO-1595)
- Assignment
- Part 2 - Notice to File Missing Parts
- Declaration (executed)
- Petition for 2 Month Extension of Time
- Supplemental Application Data Sheet
- Remarks Concerning Supplemental Application Data Sheet
- Thirteen (13) Sheets of Replacement Drawings
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

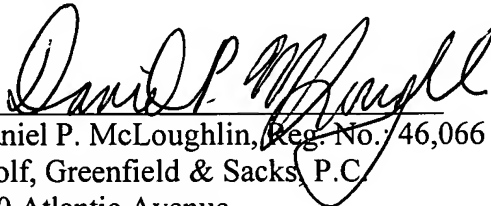
Serial No.: 10/766,298  
Confirmation No.: 9344

- 2 -

A check in the amount of \$804.00 is enclosed to cover the basic filing fee, assignment fee, extra claim fees, the surcharge and a two-month extension of time. If the fee is insufficient, the balance may be charged to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,  
*David Spencer, et al., Applicants*

By:

  
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600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
Telephone: (617) 646-8000

Docket No.: S1404.70004US01  
Date: October 22, 2004  
x10/23/04x